

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jenzo Duque	Team: Squad #9	CCRB Case #: 201802879	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 03/24/2018 , Sunday, 04/01/2018 , Thursday, 04/12/2018 5:20 PM, Friday, 04/13/2018	Location of Incident: West 48th Street and 7th Avenue	Precinct: 18	18 Mo. SOL 10/12/2019	EO SOL 10/12/2019	
Date/Time CV Reported Thu, 04/12/2018 7:37 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 04/12/2018 7:37 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Mathimohan Mohandas	11894	954142	PBMS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM David Lachmenar	21671	955034	PBMS

Officer(s)	Allegation	Investigator Recommendation
A.POM Mathimohan Mohandas	Discourtesy: On March 24, 2018 Police Officer Mathimohan Mohandas spoke discourteously to § 87(2)(b)	
B.POM Mathimohan Mohandas	Discourtesy: On April 1, 2018 Police Officer Mathimohan Mohandas spoke discourteously to § 87(2)(b)	
C.POM Mathimohan Mohandas	Discourtesy: On April 12, 2018 Police Officer Mathimohan Mohandas spoke discourteously to § 87(2)(b)	
D.POM Mathimohan Mohandas	Discourtesy: On April 13, 2018 Police Officer Mathimohan Mohandas spoke discourteously to § 87(2)(b)	

Case Summary

§ 87(2)(b) filed this complaint via the On-line Website on April 12, 2018.

On March 24, 2018, at approximately 3:57 p.m., in the vicinity of West 48th Street and 7th Avenue in Manhattan, Police Officer Mathimohan Mohandas of Patrol Borough Manhattan South issued a summons to § 87(2)(b) for § 87(2)(b). PO Mohandas then allegedly stated, “Move your shit,” and, “Get the fuck out of here,” to § 87(2)(b) (**Allegation A: Discourtesy**, § 87(2)(g)).

On April 1, 2018, at approximately 4:30 p.m., in the vicinity of West 48th Street and 7th Avenue in Manhattan, PO Mohandas issued a summons to § 87(2)(b)'s friend, § 87(2)(b) for § 87(2)(b). PO Mohandas then allegedly stated, “Move your shit,” and, “Get the fuck out of here,” to § 87(2)(b) (**Allegation B: Discourtesy**, § 87(2)(g)).

On April 12, 2018, at an unknown time, in the vicinity of West 48th Street and 7th Avenue in Manhattan, PO Mohandas allegedly stated that he would take § 87(2)(b)'s “shit” (**Allegation C: Discourtesy**, § 87(2)(g)).

On April 13, 2018, at an unknown time, in the vicinity of West 48th Street and 7th Avenue in Manhattan, PO Mohandas allegedly stated that he would take § 87(2)(b)'s “shit” (**Allegation D: Discourtesy**, § 87(2)(g)).

There was no video footage available for any of these incidents.

Findings and Recommendations

Allegation (A) Discourtesy: On March 24, 2018, PO Mohandas spoke discourteously to

§ 87(2)(b)

It is undisputed that on March 24, 2018, at approximately 3:57 p.m., in the vicinity of West 48th Street and 7th Avenue in Manhattan, PO Mohandas issued a summons to § 87(2)(b) for § 87(2)(b). PO Mohandas then allegedly stated, “Move your shit,” and, “Get the fuck out of here,” to § 87(2)(b).

According to § 87(2)(b)'s verified statement (Board Review 01), § 87(2)(b), § 87(2)(b) do not need a permit to work on the sidewalk and are instead required to have a § 87(2)(b), which he has. When PO Mohandas made discourteous statements towards him, § 87(2)(b) was the only individual present, besides PO Lachmenar.

In PO Mohandas's statement to the CCRB (Board Review 02), PO Mohandas stated that he not only issued § 87(2)(b) a summons for § 87(2)(b), but also observed that he was spray painting near a parking mini-meter, which is not allowed due to the possibility of painting the meters. § 87(2)(b) also created a crowd while selling prints beneath scaffolding, which contributed to pedestrian traffic on the sidewalk. § 87(2)(b) was upset over having received a summons and did not want to leave the area. PO Mohandas denied directing profanity at § 87(2)(b). PO Mohandas denied telling § 87(2)(b).

§ 87(2)(b) “Move your shit.” PO Mohandas denied stating, “Get the fuck out of here,” to § 87(2)(b) § 87(2)(b)

In PO Lachmenar’s statement to the CCRB (Board Review 03), PO Lachmenar did not have an independent recollection of encountering § 87(2)(b) on the incident date. PO Lachmenar acknowledged being familiar with § 87(2)(b) and having issued him summonses in the past. PO Lachmenar stated that he has documentation of § 87(2)(b) vending in prohibited areas, and that although he had no documentation of this incident, it was likely that PO Mohandas interacted with § 87(2)(b) on the incident date.

§ 87(2)(g)

Allegation (B) Discourtesy: On April 1, 2018, PO Mohandas spoke discourteously to

§ 87(2)(b)

It is undisputed that on April 1, 2018, at approximately 4:30 p.m. in the vicinity of 48th Street and 7th Avenue in Manhattan, PO Mohandas issued a summons to § 87(2)(b)’s friend, § 87(2)(b) § 87(2)(b) for § 87(2)(b). PO Mohandas then allegedly stated, “Move your shit,” and, “Get the fuck out of here,” to § 87(2)(b) while issuing the summons to § 87(2)(b).

According to § 87(2)(b)’s verified statement (Board Review 01), § 87(2)(b) is § 87(2)(b) § 87(2)(b). When PO Mohandas made discourteous statements towards him, § 87(2)(b) was with both § 87(2)(b) and another friend, § 87(2)(b) § 87(2)(b).

According to § 87(2)(b)’s phone statement to the CCRB (Board Review 04), § 87(2)(b) § 87(2)(b) did not witness an incident involving § 87(2)(b) and the NYPD on the incident date.

According to § 87(2)(b)’s phone statement to the CCRB (Board Review 05), § 87(2)(b) did not witness an incident involving § 87(2)(b) and the NYPD on the incident date.

In PO Mohandas’s statement to the CCRB (Board Review 02), PO Mohandas acknowledged that § 87(2)(b) worked within his assigned foot-post on the incident date. PO Mohandas denied interacting with § 87(2)(b) at any point on the incident date. However, according to PO Mohandas’s Memo Book entries, PO Mohandas issued a summons to § 87(2)(b) § 87(2)(b) on the incident date, as well as to § 87(2)(b) but did not have any memo book entries pertaining to any interaction with § 87(2)(b).

In PO Lachmenar’s statement to the CCRB (Board Review 03), PO Lachmenar did not have a specific recollection of PO Mohandas issuing a summons to § 87(2)(b) on the incident date. However, PO Lachmenar acknowledged that an entry in his Memo Book pertained to a summons issued to § 87(2)(b) by PO Mohandas on the incident date. PO Lachmenar did not recall what he observed § 87(2)(b) doing that resulted in PO Mohandas issuing him a summons. PO Lachmenar did not recall PO Mohandas directing profanity at § 87(2)(b) PO Lachmenar did not recall PO Mohandas stating, “Move your shit,” to § 87(2)(b) PO Lachmenar did not recall PO Mohandas stating, “Get the fuck out of here,” to § 87(2)(b)

§ 87(2)(g)

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Allegation (C) Discourtesy: On April 12, 2018, PO Mohandas spoke discourteously to

§ 87(2)(b) [REDACTED]
§ 87(2)(g) [REDACTED] § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]

According to § 87(2)(b) [REDACTED]'s verified statement (Board Review 01), at approximately 7:37 p.m., at the incident location, § 87(2)(b) [REDACTED] called the CCRB while speaking with PO Mohandas. PO Mohandas then made § 87(2)(b) [REDACTED] move his work station and stated he would take his "shit." § 87(2)(b) [REDACTED] and § 87(2)(b) [REDACTED]'s friend, § 87(2)(b) [REDACTED] § 87(2)(b) [REDACTED] all witnessed the incident. § 87(2)(b) [REDACTED]'s nephew, § 87(2)(b) [REDACTED] also witnessed the incident.

According to § 87(2)(b) [REDACTED]'s phone statement to the CCRB (Board Review 04), on April 12 or April 13, § 87(2)(b) [REDACTED] witnessed PO Mohandas issue a summons to § 87(2)(b) [REDACTED] while making him move his workstation. PO Mohandas stated, "Take your shit away," to § 87(2)(b) [REDACTED].

According to § 87(2)(b) [REDACTED]'s phone statement to the CCRB (Board Review 05), § 87(2)(b) [REDACTED] did not witness an incident involving § 87(2)(b) [REDACTED] and the NYPD on the incident date.

According to § 87(2)(b) [REDACTED]'s phone statement to the CCRB (Board Review 06), at approximately 7:37 p.m., at the incident location, PO Mohandas issued § 87(2)(b) [REDACTED] a summons and made him move his work station. PO Mohandas referred to § 87(2)(b) [REDACTED]'s property as "shit."

According to § 87(2)(b) [REDACTED]'s phone statement to the CCRB (Board Review 07), § 87(2)(b) [REDACTED] did not witness an incident involving § 87(2)(b) [REDACTED] and the NYPD on the incident date.

In PO Mohandas's statement to the CCRB (Board Review 02), PO Mohandas acknowledged that § 87(2)(b) [REDACTED] typically works within his assigned foot-post on the incident date. PO Mohandas denied interacting with § 87(2)(b) [REDACTED] at any point on the incident date. PO Mohandas had no Memo Book entries pertaining to any interaction with § 87(2)(b) [REDACTED].

In PO Lachmenar's statement to the CCRB (Board Review 03), PO Lachmenar did not have an independent recollection of PO Mohandas interacting with § 87(2)(b) [REDACTED] on the incident date. However, PO Lachmenar acknowledged that he and PO Mohandas interact with street vendors in the location regularly. PO Lachmenar had no Memo Book entries pertaining to any interaction with § 87(2)(b) [REDACTED].

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

§ 87(2)(g)

[REDACTED]

Allegation (D) Discourtesy: On April 13, 2018, PO Mohandas spoke discourteously to

§ 87(2)(b)

§ 87(2)(g)

[REDACTED]

According to § 87(2)(b)'s verified statement (Board Review 01), at an unknown time, at the incident location, PO Mohandas stated he would take his "shit" to § 87(2)(b) and that it would not be returned. § 87(2)(b) believed that § 87(2)(b) and § 87(2)(b) all witnessed the incident.

According to § 87(2)(b)'s phone statement to the CCRB (Board Review 04), on April 12 or April 13, he witnessed PO Mohandas issue a summons to § 87(2)(b) while making him move his workstation. PO Mohandas stated, "Take your shit away," to § 87(2)(b).

According to § 87(2)(b)'s phone statement to the CCRB (Board Review 05), § 87(2)(b) did not witness an incident involving § 87(2)(b) and the NYPD on the incident date.

According to § 87(2)(b)'s phone statement to the CCRB (Board Review 06), § 87(2)(b) did not witness an incident involving § 87(2)(b) and the NYPD on the incident date.

According to § 87(2)(b)'s phone statement to the CCRB (Board Review 07), § 87(2)(b) did not witness an incident involving § 87(2)(b) and the NYPD on the incident date.

According to § 87(2)(b)'s verified statement (Board Review 08), § 87(2)(b) witnessed that PO Mohandas removed § 87(2)(b)'s property. § 87(2)(b) did not hear the statements made by either party during that encounter, though § 87(2)(b) told § 87(2)(b) that PO Mohandas stated he would take his "shit" after the fact.

In PO Mohandas's statement to the CCRB (Board Review 02), PO Mohandas acknowledged that § 87(2)(b) typically works within his assigned foot-post on the incident date. PO Mohandas denied interacting with § 87(2)(b) at any point on the incident date. PO Mohandas had no Memo Book entries pertaining to an encounter with § 87(2)(b).

In PO Lachmenar's statement to the CCRB (Board Review 03), PO Lachmenar did not have an independent recollection of PO Mohandas interacting with § 87(2)(b) on the incident date. PO Lachmenar denied that PO Mohandas has ever used profanity on any occasion that he has interacted with § 87(2)(b). PO Lachmenar had no Memo Book entries pertaining to an encounter with § 87(2)(b).

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to two CCRB complaints and has been named a victim in five allegations (Board Review 09).
 - PO Mohandas has been a member of service for five years and has been a subject in four complaints and six allegations, none of which were substantiated. § 87(2)(g)
- [REDACTED]

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
 - As of August 8, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 10).
 - [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- [REDACTED]

Squad No.: _____

Investigator: _____

Signature	Print Title & Name	Date
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Squad Leader: _____

Signature	Print Title & Name	Date
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Reviewer: _____

Signature	Print Title & Name	Date
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